

FORM SUMMARY

Name of Form: Order Extending Injunction - Domestic Abuse/Child Abuse

Form Number: CV-431

Statutory Reference: §§813.12(4)(c) & 813.122(5)(d), Wisconsin Statutes

Benchbook Reference: FA 18-3; 18-16

Purpose of Form: To formally extend a previously-granted abuse injunction.

Who Completes It: Court

Distribution of Form: Original to court, copy to petitioner, respondent and law enforcement agency acting as repository for injunctions and Department of Justice.

Accompanying Forms: Generally none

New Form/Modification: Modification; last update 04/06.

Modifications: Reformatted verbiage to make injunction expiration date more clear.

Comments: If the petitioner states that an extension is necessary to protect him/her, a **domestic abuse injunction** that has been granted for a period of less than four years shall be extended even if the original injunction has expired. (Switzer vs. Switzer 2006 WI APP 10.) The maximum length of a domestic abuse injunction, including extensions, is four years from the original date the injunction was issued.

If the petitioner states that an extension is necessary to protect the child, a **child abuse injunction** that has been granted can be extended as follows:

- If the original injunction was for less than 6 months, it shall be extended for a period up to six months from the date the original injunction was granted, or the child victim turns 18, whichever comes first.
- Otherwise, the court can extend the injunction for not more than two years after the date the original injunction was issued, or the child victim turns 18, whichever comes first.

The statute does not require a hearing before the extension is granted for domestic abuse and child abuse injunctions. However, the extension order must be properly served on the respondent. The statute does not specify what constitutes appropriate service. RMC recommends that the respondent be personally served with the extension order to ensure a proper record for later enforcement in the event of a violation.

About this form: This form is the product of the Wisconsin Records Management Committee, a committee of the Director of State Court's Office and a mandate of the Wisconsin Judicial Conference.

If you have additional information that does not change the meaning of the form, attach it on a separate page. The form itself shall not be altered.